

William A. Fleenor, Ph.D.
P.O. Box 216
Mapleton, OR 97453
541-268-2004

October 1, 2013

Oregon Department of Justice
1162 Court Street NE
Salem, OR 97301

RE: Criminal Complaint
Delivered: Via email (attorneygeneral@doj.state.or.us)

Dear Attorney General Rosenblum,

I'm contacting you because there is a brewing sense of justice undone in Lane County, and I believe it will take your office to untangle the incredible web of conflicts of interest, violations of county policies and possible criminal wrongdoings. There appears to be an ongoing effort by the county and its board of commissioners to cover-up these activities, and it seems, without your office's intervention, the general public will never know the extent of these wrong-doings, nor will justice be served.

By way of introduction to these highly suspect and complex activities, it is important to start from the beginning and work our way forward in time. I have also included links to the Register Guard (RG) and Eugene Weekly (EW) news stories that I have used as source material.

First, as you know, Lane County, along with 17 other O&C counties have been struggling with severe revenue cuts and increasing expenses. Last year, the elected leaders of Lane County decided to place a Public Safety Levy on this year's May ballot to shore-up the county jail (EW – July 23rd, 2013). In January of this year, prior to the May primary, Lane County Administrator, Liane Richardson, and Lane County Counsel, Steve Dingle, both lobbied the Lane County Department of Human Resources quietly for pay raises (15.3% and 14% respectfully). Richardson worked with the head of Human Resources (whom she directly oversees) to justify their pay increase through a market study of similar executive positions at comparable counties. A subsequent Board Order, drafted under Richardson's command, authorizing the pay increases was imbedded in the consent agenda for approval by the Board of Commissioners (BOC). Once the Board Order for the pay increases went public, the BOC pulled the consent item with both Richardson and Dingle immediately declining the raises (RG - July 24th, 2013) (Eugene Weekly – July 25th, 2013).

Shortly thereafter, the Register Guard reported (RG - July 24th, 2013) that a county employee (whistleblower) questioned Richardson's boosting of her take-home pay, which commenced in January of this year, by converting past unused paid vacation and sick leave and "deferred compensation" to immediate payments (EW – August 1st, 2013). The increase in take home pay was in direct defiance to the BOC's decision to not move forward with the pay increases. Once

the BOC discovered that Richardson was converting her unused paid vacation or sick leave into cash, against county policy, they fired her (RG - August 7th, 2013 story) (EW – August 22nd, 2013)

Current Lane County Counsel, Steve Dingle, then launched a probe on July 24th, 2013, utilizing an outside investigator (Greg Olson) to look into charges that Richardson made to her compensation earlier in the year (Eugene Weekly – July 25th, 2013). An Oregon State Bar complaint was filed against Dingle and Richardson alleging among other issues that Dingle should have recused himself from the investigation into Richardson's pay issues that led to her firing because of his entanglement in pay raises, and mentions an alleged "romantic relationship" between Dingle and Richardson (EW – Sept. 5th, 2013)

The RG had requested all documents related to this matter under Oregon's public records law, up to this time, and the county had not complied (RG - August 10th, 2013). Over a period of time, the county did release some emails, but did not release the results of the private investigator's report until September 28th, with 29 pages completely redacted.

Shortly after Richardson's firing, the Lane County District Attorney, Alex Gardner (**immediate past Lane County Counsel**) asked another Marion County Deputy District Attorney, Paige Clarkson to look into whether Richardson should face criminal charges, stating this was to avoid any "potential or perceived" conflicts of interest by his office (RG August 10th, 2013). **Interestingly, both Richardson and the current county counsel, Steve Dingle, were both employed as Assistant District Attorneys in the Marion County District Attorney's office.**

According to the RG (September 17th, 2013), the BOC and Richardson reached a settlement, wherein both sides agreed not to sue and Richardson received no settlement. As of that date, the county still had not released any information about the results of the private investigator's report to the public, or to the RG based upon their on-going Oregon's public records law request. In that same story, the county spokesperson said the "county would re-address" disclosure once they receive the Marion County District Attorney's report.

The Marion County District Attorney's Office decided not to file criminal charges against Richardson, saying that the decision was due in part to the settlement Richardson and the county reached (RG - September 24th, 2013). **The Marion County District Attorney's Office's decision preceded the release of the private investigator's report.** In that same article, Richardson claimed that one unnamed commissioner asked her if it was "possible" for her to cash out paid time off and deferred compensation in order to boost her take-home pay. Richardson also claimed she had spoken to "two county commissioners" and other county employees (**My Question: Did more commissioners know of this "possible" activity?**).

In a news report published by the RG (September 27th, 2013), Lane County released the results of the private investigator's report that county counsel, Steven Dingle, had redacted 29 full pages, claiming under a little-used section of Oregon's public records law, he could use a condensed version "in lieu of making the public record available for inspection". In that report, the private investigator found Richardson was "untruthful" when she wrote in an email to the BOC that she became aware on July 22 that she had exceeded the 200-hour cash-out cap she claims she was eligible for (RG - September 27th, 2013). Olson also found that Richardson boosted her budgeted line item for her compensation during the 2013-2014 fiscal year budgeting process, without explicating informing the BOC, which would have allowed her to

cash in more hours of her unpaid vacation and sick leave and would have violated Lane County policy. Once again, Richardson claims that two county commissioners, whom she wouldn't name, were aware of the ways she was boosting her take-home pay. She claims one commissioner initially suggested that she look into increasing her take-home salary in the roundabout way of cashing in some of her unused paid vacation and sick leave and deferred compensation. Overall, her plan would have resulted in a net increase of \$52,422 (RG - September 28th, 2013).

This matter arises from a series of events that commenced at the beginning of this year and continues unresolved to this date, with no apparent resolution in site, other than just a quick white wash by local officials. This criminal wrongdoing was dismissed by an out-of-county assistant D.A. whom may have inherent conflict of interest owing to a previous employment association with the parties under question, while at the same time, lacking crucial evidence the private investigator's results may have provided. This case is not just about the unlawful and secretive adjustment of compensation for the top administrator, but possibly other high level employees and elected representatives within the county. It is also about possible cover-ups, conspiracies and other illicit activities designed to prevent public disclosures and protect elected officials. **The question must be asked: How could this activity have taken place without complicit or irresponsible staff or elected representatives involvement?**

In summary, it appears local checks and balances are not sufficient in dealing with matters that have an extraordinary number of parties with myriad of conflicts of interest and potential personal gain or loss. Therefore it is necessary to call upon a non-biased, independent third-party government entity to investigate and bring appropriate action. I know the first inclination for anyone is to turn away from the detail and skullduggery and just let things be, but this is only going to encourage other government employees and elected officials to try and get away with this type of inappropriate behavior. Please take the time to fully understand the issues before you make any decision.

So the basic question here is, when and how will justice be served in order to regain the trust of the people – for without trust, we will have no law and order. I will be awaiting your actions.

My best regards,



William A. Fleenor

Cc. The Register Guard (jack.wilson@registerguard.com)
Eugene Weekly (editor@eugeneweekly.com)
The Oregonian (elukens@oregonian.com)
The Siuslaw News (editor@thesiuslawnews.com)

References:

<http://registerguard.com/rg/opinion/30524226-78/county-public-richardson-commissioners-employees.html.csp>

<http://www.registerguard.com/rg/news/local/30525011-248/county-richardson-budget-commissioners-report.html.csp>

<http://www.registerguard.com/rg/news/local/30205994-75/county-richardson-pay-board-leave.html.csp>

<http://www.registerguard.com/rg/news/local/30505406-75/richardson-county-clarkson-compensation-attorney.html.csp>

<http://www.registerguard.com/rg/news/local/30210270-75/county-richardson-paid-board-compensation.html.csp>

<http://www.registerguard.com/rg/news/local/30520526-61/county-richardson-report-cash-olson.html.csp>

<http://www.registerguard.com/rg/news/local/30472052-75/county-richardson-lane-agreement-commissioners.html.csp>

<http://www.registerguard.com/rg/news/local/30505406-75/county-attorney-criminal-district-marion.html.csp>

<http://www.registerguard.com/rg/news/local/30442017-170/hays-administrator-county-interim-board.html.csp>

<http://www.registerguard.com/rg/news/local/30288927-75/county-richardson-lane-official-attorney.html.csp>

<http://www.registerguard.com/rg/news/local/30269638-63/county-richardson-board-compensation-pay.html.csp>

<http://www.eugeneweekly.com/20130801/news-briefs/county-tempests-continue-unresolved>

<http://www.eugeneweekly.com/20130822/news-briefs/county-counsel-dingle%C2%A0pay-stub-discrepancy>

<http://www.eugeneweekly.com/20130905/news-briefs/bar-complaints-against-dingle-richardson-filed>

<http://www.eugeneweekly.com/blog/liane-richardson-pay-controversy>

<http://www.eugeneweekly.com/blog/outside-investigation-liane-richardson>

<http://www.eugeneweekly.com/20130725/news-briefs/liane-richardson-hot-water-over-pay>